

### **REMARKS**

Claims 1-54 and 56-79 are pending and stand rejected. All pending claims 1-54 and 56-79, as amended, are believed to be allowable over the references cited by the Examiner as discussed below. Accordingly, a Notice of Allowance for the present application is respectfully requested.

#### **Amendment of Claims**

Independent claims 1, 15, 26, 33, 40, 51, 56, 63, 66, 67, 70, 75 are amended to clarify the subject matter of the invention. Dependent claims 67-69 are amended to correspond to independent claim 66.

#### **Rejection Under 35 U.S.C. §101**

Claims 51-54 and 56-69 stand rejected under 35 U.S.C. §101.

Independent claims 51, 63, and 66 are amended to positively recite a headset adapter (or headset adapter base) that implements the specified communications protocol.

Withdrawal of the rejection of claims 51-54 and 56-69 under 35 U.S.C. §101 is respectfully requested.

#### **Rejections Under 35 U.S.C. §103**

Claims 1-3, 14-16, 26, 27, 33, 40, 45, 70, 71, 75 and 76 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Endick et al. (USPN 5,339,360) in view of Applicant's admitted prior art.

However, each of the independent claims 1, 15, 26, 33, 40, 70, and 75 is amended to positively recite independent and direct control and/or monitoring by the headset adapter.

In contrast, Endick neither discloses nor suggests that a headset adapter independently and directly controls the headset accessory, as previously noted by the Examiner (with reference to the indication that claims 15-25 would be allowable if rewritten or amended).

Withdrawal of the rejection of independent claims 1, 15, 26, 33, 40, 70, and 75 and claims dependent therefrom under 35 U.S.C. §103(a) is respectfully requested.

**Combination of Endick with secondary references with regard to dependent claims**

The deficiencies of Endick are not overcome with the addition of secondary references. In particular, various dependent claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over Endick in view of Yamaguchi, King, Miesterfeld, Waechter, Jones, Yamada, and/or Tanaka. However, these claims are believed to be allowable at least for the similar reasons as set forth above with regard to Endick. Thus, withdrawal of the rejection of claims 4-13, 17-25, 28-32, 34-39, 41-44, 46-50, 72-74, and 77-79 is respectfully requested.

**CONCLUSION**

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-2315 (Order No. 01-3876).

Respectfully submitted,



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